IN THE HIGH COURT OF JUDICATURE AT BOMBAY

CRIMINAL APPELLATE SIDE

CRIMINAL WRIT PETITION NO.1548 OF 2006

Mukund Bhide .. ..Petitioner

Versus

Mr.Hillary Aguir & Anr. .. ..Respondents

Mr.P.C.N.Agarwal for petitioner

Mrs.U.V.Kejriwal, APP for State

CORAM : J.N.PATEL &

SMT.ROSHAN DALVI, JJ.

DATE : 23RD AUGUST, 2006.

P.C.:

1. The learned counsel for the petitioner seeks adjournment on the ground that the Counsel has gone to attend the matter before the Supreme Court. In our view, it is not necessary as the petition can be disposed of and therefore, we proceed to pass the following order.

2. The petitioner has already filed a complaint in the Court of Metropolitan Magistrate, 22nd Court, Andheri which is being processed. The main grievance of the petitioner is that as the Magistrate is not passing any orders as sought under Section 156(3) of Cr.P.C., this court should direct to the Inspector, Incharge of M.I.D.C. Police Station to register the complaint and investigate the same.

2. In our view it will be proper on the part of the petitioner once having chosen the forum to pursue the matter in the court of Metropolitan Magistrate and if he has any grievance about him that the Magistrate is not attending to his complaint, he can make a complaint in writing to the High Court on Administrative Side, so that same can be examined.

3. In the circumstances, we are not inclined to intervene in the matter and entertain this petition. The petition is dismissed.

(J.N.Patel, J.)

(Smt.Roshan Dalvi, J.)